



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3010293
Applicant Name: Kristal Hancock
Address of Proposal: 1841 S. King St.

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two unit lots. The construction of residential units has been approved under Project #6173456. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original lot and not to each of the new unit lots.

The following approval is required:

Short Subdivision to create two unit lots. (SMC Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition
or involving another agency with jurisdiction.

BACKGROUND DATA

Zoning: Residential, Multi-family, Lowrise Duplex/Triplex (LDT).

Uses on site: Two single family dwellings.

Substantive Site Characteristics

The approximately 4,480 square foot subject site ("Parent Lot") is a rectangular lot that fronts on South King Street to the north and a concrete alley to the south. The subject property is in the Jackson Place Neighborhood of South Seattle. The site and surrounding area is located within an area zoned Residential Lowrise Duplex Triplex (LDT) which extends to the west. The area one-half block to the north is zoned Neighborhood Commercial 3 with a height limit of 40 feet (NC3-40). The area one-half block to the east is zoned Commercial 1 with a height limit of 40

feet (C1-40). The area adjacent to the south is zoned Single-family (SF5000). The immediate and surrounding areas are predominately single-family and multi-family use. The site gradually slopes from the northeast corner down to the southwest corner. The site is not located in a designated environmentally critical area. The site contains two single family residential structures which will remain. S. King St. is a 66-ft. wide two lane paved street with sidewalks, curbs and gutters on both sides. The site has approximately 40-feet of street frontage on S. King St. and is approximately 112-feet deep. Vehicular access for Unit Lot 1 is from S. King St. and vehicular access for Unit Lot 2 is from an existing 16-ft. wide concrete alley. Unit Lot 1 has an existing parking garage and Unit Lot 2 is proposing a 9 foot by 16 foot surface parking space on-site. Site vegetation includes grass and shrubs.

Proposal

The applicant proposes to subdivide one parcel into two unit lots with the following areas: Unit Lot 1) 2,480 square feet and Unit Lot 2) 2,000 square feet. The existing two unit residential structures are to remain. Open space would be provided on each unit lot. Parking will be provided on Unit Lot 1 within an existing garage structure and accessed via a concrete driveway from S. King St., and parking for Unit Lot 2 is to be provided at ground level by a 9 foot by 16 foot surface parking space and accessed via a 16-ft. wide concrete alley. A five foot (5-ft) wide pedestrian access easement has been provided along the west property line of both unit lots. Finally, the unit lot subdivision, as conditioned, would provide an easement or covenant for address signage for the proposed unit lot without street frontage (Unit Lot 2).

Public Comment

One comment letter was received during the comment period which ended on May 17th, 2009.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following (applicable) criteria to determine whether to grant condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection, as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees.*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing, and*

8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Summary - Short Subdivision

Based on information provided by the applicant; referral comments from DPD, Water (SPU), the Fire Department (SFD), and Seattle City Light; and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The unit lots to be created by this short subdivision would meet all minimum standards or applicable exceptions set forth in the Land Use Code, and would be consistent with applicable development standards. As conditioned, this unit lot short subdivision could be provided with vehicular access and both public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply (Water Availability Certificate ID No. 20090294), and sanitary sewage disposal have been provided for each lot, and service is assured, subject to standard conditions governing utility extensions. The unit lot short plat would not affect tree retention. The public use and interest would be served by the proposal because all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

ANALYSIS –UNIT LOT SUBDIVISION

Conformance to the provisions of Section 23.24.045, unit lot subdivisions, is required when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing developments, residential cluster developments, or single-family residences. Section 23.24.045 requires the following:

- A. *The unit subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*
- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*

- E. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Development of Records and Elections.*
- F. *The fact that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

Summary - Unit Lot Subdivision

Review of this application shows that the proposed unit lot subdivision would conform to applicable standards of SMC 23.24.045, subject to the conditions imposed at the end of this decision. The proposed development would consist of two single family residences (two-unit lots). The construction of residential units has been approved under project #6173456 and when built had to conform to the development standards at the time the permit applications were approved for issuance.

To assure that future owners have constructive notice that additional development may be limited; the applicant has included the following note on the plat: *"The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code."* In addition, a joint use/maintenance agreement has been added to the face of the plat, and a City Light easement would be provided for electric service. Furthermore, open space would be provided on each unit lot. Parking will be provided on Unit Lot 1 within an existing garage structure and accessed via a concrete driveway from S. King St., and parking for Unit Lot 2 is to be provided at ground level by a 9 foot by 16 foot surface parking space and accessed via a 16-ft. wide concrete alley. A five foot (5-ft) wide pedestrian access easement is proposed along the west property line of both unit lots. Finally, the unit lot subdivision, as conditioned, would provide an easement or covenant for address signage for the proposed unit lot without street frontage (Unit Lot 2).

DECISION – UNIT LOT SUBDIVISION

The proposed Unit Lot Subdivision is **CONDITIONALLY APPROVED.**

CONDITIONS – UNIT LOT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. On the face of the plat, provide for an address sign, for the benefit of Unit Lot 2, at a location visible from S. King St. and provide an easement, covenant, or other legal agreement to allow for proper address signage.

2. As applicable, add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat "For conditions of approval after recording see page ____ of ____."
3. On the face of the plat, provide easement language for electric service as specified by Seattle City Light Easement (Exhibit "A" P.M. #240404-2-031B). (See file for copy of Easement).
4. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
5. Submit the final recording forms and any final fees for approval.
6. Insert the following on the face of the plat: "the unit lots are not separate building sites" and that "additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot." "Pursuant to applicable provisions of the Seattle land Use Code, Chapter 23 of the Seattle Municipal Code."

Prior to Issuance of any Building Permit

The owner(s) and/or responsible party(s) shall:

7. Attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: _____ (signature on file) Date: February 4, 2010
Joan Carson, Land Use Planner
Department of Planning and Development

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